

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Nicole M. Finney

Docket No. 7:21-MJ-1029-1

Petition for Action on Probation

COMES NOW Kristyn Super, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Nicole M. Finney, who, upon an earlier plea of guilty to DWI: Level IV, in violation of NCGS § 20-138.1, assimilated by 18 U.S.C. § 13, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on October 7, 2021, to 12 months probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

At the time of sentencing on October 7, 2021, it was ordered that the defendant be confined to the custody of the Bureau of Prisons for a period of 48 hours. To date, the Bureau of Prisons has not resumed intermittent confinement placements and as such, this condition cannot be satisfied. It is respectfully recommended that the conditions of probation be modified and that this condition be replaced with the condition that she complete 48 hours of community service.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that the condition stating "The defendant shall be confined in the custody of the Bureau of Prisons for a period of 48 hours" be removed and that the conditions be modified to include:

1. The defendant shall perform 48 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

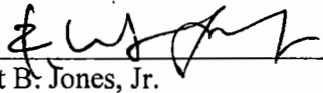
/s/ David W. Leake
David W. Leake
Supervising U.S. Probation Officer

/s/ Kristyn Super
Kristyn Super
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5104
Executed On: July 21, 2022

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ORDER OF THE COURT

Considered and ordered this 21 day of July, 2022, and ordered filed and made a part of the records in the above case.



Robert B. Jones, Jr.
U.S. Magistrate Judge